

Approved
AFFORDABLE HOUSING ADVISORY COMMITTEE
BUILDING SERVICES CENTER – 700 NW 19 AVENUE
DSD Conference Room
Monday January 11, 2016 - 9:00 A.M. Minutes

Cumulative Attendance

Committee Members	Attendance	7/15 through 6/16	
		Present	Absent--
Roosevelt Walters, Vice Chair	P	6	0
Edwin Parke	P	6	0
Brian Poulin	A	4	2
Skeet Jernigan	P	4	2
*Peter Cooper (apt 8/14)	P	6	0
*Kenneth Walton (apt 12/14)	A	4	2
*Rosalind Osgood (apt 2/15)	A	4	2
*Bradley Deckelbaum (reapt 5/19/15)	A	3	3
* Katharine Barry (apt 1/05/16)	P	1	0

*Members were appointed after July 2014

Staff

Jonathan Brown, Manager, *Northwest-Progresso-Flagler Heights Community Redevelopment Agency (NPF-CRA) and Housing & Community Development (HCD) Divisions*

Avis Wilkinson, Housing Programs Supervisor and AHAC Liaison

Claudia Goncalves, Housing Rehabilitation Financial Aide

Kerry Arthurs, Housing Senior Accounting Clerk

Roosevelt Walters, Vice Chair called the meeting to order at 9:15 a.m. There was a quorum of 5 members for voting on official business. Roll was called by Kerry Arthurs.

Approval of Minutes – November 9, 2015

Peter motioned to approve the Minutes for November 9, 2015; the motion was second by Edwin and unanimously approved by vote.

Approval of Minutes – December 14, 2015

Skeet stated that he had a question about page 7, the paragraph that states: "Roosevelt stated that there was a talk that even little Roosevelt contractor build a 100 unit place, fifteen percent (15%) is for Affordable Housing they are allowing Jernigan's to purchase ..." Skeet wanted to know what that was about. Roosevelt stated that it was an example that he was giving instead of stating he or they, he usually throw in names. Little Roosevelt is the Contractor and Jernigan is a purchaser and little Roosevelt built one hundred units. Roosevelt continued that little Jernigan came in and purchase 15

affordable units and rent them at market rate. Skeet stated that the point is that there is no monitoring. Roosevelt agreed and stated that he remembers that Skeet had a discussion prior to the meeting on page two (2). Jonathan stated that the question was related to the page two (2), the fifth (5th) paragraph, the last sentence of the last minutes, the paragraph that states that "The City Manager is dead set on not making commercial lots sales as part of Affordable Housing, but in the CAM that was submitted said and gave a percentage of that, and the Commission adopted it". Jonathan continued that the Commission adopted the Affordable Housing Policy but there were recommendations from AHAC that were not a part of the policy but the Commission was able to see what they were recommending to make a determination if it will be a part of the policy or not. Katharine asked if she can get a copy of the policy. Skeet asked if this policy is not the CAM. Jonathan responded the CAM itself was the document that introduced the Policy, the Economic Housing Analysis, and introduced the recommendations from the AHAC.

Skeet stated that it is not clear whether or not if there is a percentage in the adopted CAM. Jonathan answered no, not for commercial and he can read the part in the policy where it states. Roosevelt commented that it would be helpful. Katharine asked what a CAM is. Jonathan answered that a CAM is a Commission Agenda Memo. He continued that the recommendation is Article 2 of the Affordable Housing Policy which states "It is recommended that the City of Fort Lauderdale establish an Affordable Housing Trust Fund by adopting an Ordinance. The Trust Fund will be initially funded with funds deposited in an account set up in 2005 for the delivery of more Affordable Housing units. To date that account has a balance of approximately \$300,000. Moving forward, Affordable Housing will continue to be funded from the net sales proceeds from the sale of eligible residential surplus lots. One hundred percent (100%) of the funds received from the sale of eligible residential lots shall be deposited into the Affordable Housing Trust Fund. Eligibility for residential property to be sold also include analysis and any deed restriction or encumbrances that may need to be evaluated to determine if can be developed free of title issue or restrictions".

Skeet stated that it was silent on the commercial and industrial. Jonathan stated yes. Skeet asked how the recommendation page goes with that document. Jonathan answered that it is one (1) of five (5) exhibits to the Commission Agenda item. Skeet continued to ask if the exhibits were adopted. Jonathan answered no; the only thing that the resolution was looking to adopt is the Affordable Housing Policy. Katharine asked if this is a new Policy. Jonathan answered yes. Skeet then asked so our recommendations went as exhibits but were never adopted. Jonathan answered correct and it states clearly in the Policy that whatever the Committee recommends and the Commission ultimately does, as it relates to the Affordable Housing Trust Fund, has to be approved by an Ordinance so the Ordinance discussion is what is going to happen today, so AHAC will have an opportunity today to discuss what you would like to see in the Ordinance. Katharine asked where the proposed Ordinance is. Jonathan answered that they have not gotten that far yet as a Committee. Skeet stated that it will be a discussion with the Commission about what they want. Katharine asked if it is a Joint Meeting. Roosevelt answered yes, it is the one that he was discussing. Katharine commented that

she is sorry but she is coming at the last minute. Jonathan answered if Katharine wants, he can provide a copy of the recommendations to the Commission. He continued that in the Policy, the recommendations may be of more interest to Katharine. Skeet agreed that Jonathan can bring it now or to the meeting, he has it in the file that he is taking to the meeting.

Roosevelt motioned to approve the Minutes for December 14, 2015; the motion was second by Skeet and unanimously approved by vote.

Old Business

Election of New AHAC Chairperson

Roosevelt stated that he is going to do it according to the Roberts Rules of Florida that states that at this time if all positions are vacant, staff has to conduct an election. Avis asked if it all position or just two (2) and asked Roosevelt if he does not want to be Vice-Chair anymore. Roosevelt answered that right now is not what he wants. Avis stated that the floor is now open for the nomination of the Chair and the Vice-Chair. Katharine asked who the current is. Avis answered that AHAC do not have a Chair because Mandy resigned so now that office is available and now the floor is open for the Chair for AHAC. Jonathan stated that the reason AHAC is doing this is because of the workshop luncheon with the Commission today and staff thought that AHAC should want to go into the workshop with a Chair. Skeet stated that he nominated Roosevelt Walters. Avis asked is there any other nominations. The nomination was second by Edwin.

Roosevelt stated that before AHAC vote, he wanted to say that over the years he has shunned the position as Chair. He continued that he has served on quite a few Committees in the City and the County and sometimes people make these things personal and he does not want to be a Chair that a Commissioner or several Commissioners have something against and not be able to get anything done. He stated that is why he has not served as Chair but Vice-Chair but if this is what AHAC wants. Skeet stated that he thinks that right now AHAC has several vacancies, the Chair has just resigned and Roosevelt has been on the Committee for a while and they need stability for the next year and maybe AHAC can get a slate plate of folks moving forward.

Roosevelt Walters was unanimously approved by vote as the Chairperson of AHAC.

Avis stated that now the floor is open for Vice-Chairman. Edwin stated that he nominated Skeet Jernigan. Skeet declined the nomination. Edwin stated he nominated Peter Cooper and the nomination was second by Skeet. Peter declined the nomination. Katharine asked if there is anyone else who is not present and asked if the list of those absent be read. Avis stated Rosalind Osgood, Kenneth Walton, Bradley, and Brian is missing and the new member is Katharine. Peter stated that for the sake of the Committee he will move forward.

Peter Cooper was unanimously approved by vote as Vice-Chairperson of AHAC.

New Business

Jonathan stated that AHAC wanted to discuss the agenda for today's luncheon workshop. Avis stated that the Committee all has a copy. Jonathan continued that to give an idea of what the flow will be. The first thing that will be discussed is the Affordable Housing and Economic Analysis, the Analysis that Florida International Economic Metropolitan Center has put together. Dr. Murray will be there and he believes that the presentation should be somewhere between fifteen (15) and twenty (20) minutes and then they will take questions for another thirty (30) minutes or so. AHAC's plan is that they are expecting a little over two (2) hours luncheon, first hour dealing with that and then the second hour to hour and half dealing with AHAC, the Ordinance, talking about monitoring Affordable Housing development projects which is a question that came up at last meeting, and the definition of Affordable Housing.

Roosevelt commented that after the discussion and question period end, he would like to see the next thing on the agenda is the definition of Affordable Housing before they have any other discussion to make sure AHAC and the Commission are all on the same page because right now they are not. Katharine asked why there is such a big deal about it, these are very normal. Roosevelt answered that when they say Affordable Housing, people automatically go low income and that is not necessarily true. He continued but when they go to District 2 and to the Mayor, they see low income housing and Section 8 and that is not Affordable Housing, it is part of but not the total thing. AHAC has asked that staff give them the definition so that when they are talking hopefully they can get everyone on the same level. They can talk about percent all they want but if all you thinking is low income, then that is where your mind will be.

Katharine asked before the Committee continues if they can all introduce themselves. Roosevelt apologized and each person in attendance introduced themselves and gave their background. Katharine introduced herself to the Committee and gave a history of the projects she has worked on in the pass and currently doing under HOMES Inc.

Roosevelt stated that one of the things that they will be talking about today is that when they are transitioning folks from no housing to new housing or rehabilitation housing, it is often done by making them move in and what he would love to see before moving them in since they never owned a house is education on upkeep. Katharine agreed that it has never been done because there has never been any money; she has a whole curriculum but never had the money to do so. Roosevelt continued that the topic will come up about finding money whether it is rental or ownership. Jonathan stated that the question came up at the last meeting and HCD is actually working on developing a program to do that. They already have the homeownership counseling and now it is the maintenance. Avis asked Katharine if she has any material can share, can she send her an email. Katharine answered yes. Avis continued that HCD will be requiring everyone who goes thru our rehabilitation and purchase assistance to go thru that class as a mandate up front.

Edwin stated that Katharine just mentioned something and he knows it is difficult because it is one City of Fort Lauderdale and three (3) or four (4) CRAs. He continued as Katharine just said she is not a part of the Sistrunk CRA and did not mention it is one City so he asked if staff can mention what is Sistrunk CRA. Roosevelt answered northwest. Edwin asked for the new areas that the City of Fort Lauderdale annexed for the next 5 years, what is the CRA Boards is that, like the Southwest section, Riverland, and Melrose. Jonathan stated that there is the Beach CRA, the Central CRA and the Northwest CRA. Edwin stated that the Southwest section that they just annex is not a part of the CRA. Katharine answered no. Roosevelt stated that the way people are thinking it will never be because the County says that they are not giving up anything else. Katharine commented that there are CRAs in the County too; it starts at Sunrise to NW 13th Street, from I95 to Dixie railroad track. Jonathan stated that Katharine brought up a point that this last year, he think he brought it up with Jeremy and Al, the City has set aside monies to assist projects in Central City CRA like \$100,000 CDBG and as of the beginning of December, Jonathan will be doing a dual role of managing HCD and Northwest CRA.

Peter stated that in minutes of last meeting, staff was going to see what the status is of the forty seven (47) residential lots that Richard Ellis thru the County Commission was responsible for, are they going to be sold off, have staff checked on that because that will be part of the conversation. Jonathan answered that not necessarily the status per say but they want to make sure that as the properties are sold, the money comes back to the Affordable Housing Trust Fund but before that they need an Ordinance in place to require that to happen. Roosevelt answered that they are talking net proceeds. Katherine stated that she has Skeet's concern because the talk of these lots have been going on for at least ten (10) years, if there are forty seven (47) lots now and the average price of these lots with many of them in distressed areas and multiply by forty seven (47), she ask if they know how much that is worth now. She asked how much they can possibly generate for the Affordable Housing and some of them were acquired by federal money in which case you cannot just sell them off because no regular developer wants them with the federal restrictions. People who want them with the federal restrictions are people like her who do that anyway and they cannot give them to her because of the present Charter, not the Ordinance but the Charter so it is smoke in mirrors to the City. Roosevelt commented smoke in mirrors to the Community. Jonathan stated that the lots that were purchased with either state or federal dollars, he agrees have restrictions on them. Katharine asked how out of the forty seven (47) is that. Jonathan answered that he is not exactly sure. Katharine continued how AHAC not know these numbers by now. Jonathan answered that as long as they are sold as Affordable Housing, the only restriction that would impact the developer would be that of an environmental as long as Affordable Housing is built on those lots. Katharine stated that they do not want to build Affordable Housing, they do want to income certify people, they not going to care what income level they are. The only people who do that are the very few non-profit Affordable Housing Providers left, they are 5 or less. Jonathan stated that it is going to make it tough for anyone that is not interested in Affordable Housing; they probably will not have access to these lots. Roosevelt stated that it should not be and the Ordinance should

make that clear. Katharine stated that so there are not forty seven (47) lots, it is only X and whatever X is so back to Skeet's point that they have to include industrial and commercial lots or AHAC will not have an Affordable Housing Trust Fund. AHAC has had that 300,000 since 2005 with no interest accumulated. It was a secret, no one knew what it was and the old City Manager would not tell so here they are. Roosevelt commented that AHAC had to squeeze it out of them. He remembers over last year there were two (2) lots sold, one on Davie Blvd and the other on 19th and Commercial, he was not sure if the one on 19th was residential and that money should have gone in to be a part of an increase in that 300,000 and it did not because the City Manager wants to spend all the money on the beach. Jonathan stated that if AHAC remembers when staff brought the lots to AHAC, there were over hundred (100) lots. AHAC paired it down to forty seven (47) that were suitable for Affordable Housing. Roosevelt answered yes because there were lots that were too small and other things that when we paired down these forty seven (47) lots are suitable for building Affordable Housing, some multi-units and some single family units. Another thing AHAC recommended is that if little Roosevelt had a house on this corner and there was a little chunk of land over there; give it to him to at least get away from the maintenance cost. Peter left the meeting at 9:50am.

Skeet stated that he thinks at the meeting at noon AHAC needs to focus on two (2) or three (3) things and work real hard not to get down these rabbit trails because Commissioners will do that by themselves, and they will need to bring them back to what they are talking about. It seems to him that AHAC need to talk specifically about what they need to see in the Ordinance for Affordable Housing and he believes that monitoring of Affordable Housing projects ought to be part of that Ordinance. Skeet continued that not because they go well together but if AHAC decides to move forward with an Ordinance and the Commission agrees for an Affordable Housing Trust Fund, AHAC needs to put as much in there they want and can because it will be the vehicle. AHAC need to say that if the Trust Fund is going to give money away or if there will be other programs providing money for Affordable Housing that need monitoring, and then the Trust Fund ought to be responsible for that. It is going to require some City staff and the Commission is going to balk at it but let them come to that realization on their own. Skeet continued that when they talk about how it is going to be funded, then it gets into whole discussion of other stuff: somebody is going to talk about inclusionary zoning, linkage fee, he is going to bring up commercial and industrial again but other than those topics AHAC need to be careful not to talk about too much else.

Roosevelt commented that he agrees with Skeet. Katharine also commented that she agrees. Roosevelt continued that the reason why the monitoring is so important to this Committee is because about six (6) months AHAC asked about the number of Affordable Housing being built in the downtown area and AHAC knows what the builders and the other agencies downtown said but no one can verify whether or not they are telling the truth. Skeet stated that it is not only there is no documentation of those units that were actually set aside; there is no totally no documentation to say that is if they were actually built that is how they are being used. From his experience serving on the AHAC for St. Lucie County, Broward County and City of Fort Lauderdale and he has done a bunch of

Affordable/Workforce Housing and participated in Palm Beach County drafting of their Ordinance and there is no political will to put together a real productive Affordable Housing Program. None of the local governments want to spend the money to monitor it; they do not want to be involved. They want to say to builders or developers to give them Affordable Housing, inclusionary zoning and linkage fees but they do not want to monitor any of them at all. They do not want the resources there. Palm Beach County has deed restrictions and they do not know if the deed restrictions have ever been filed in the courts, there is absolutely no monitoring and if you going to exact from people, developers and others these units, they got to make sure they are built and used for the purpose that they are built for and that the continuing monitoring is there.

Jonathan stated that he just wanted to clarify that the projects that Skeet is concerned with do not necessarily come thru HCD office because HCD is monitoring their projects. Skeet responded that what he is talking about is when those developers stand up in front of the Commission and they are asking for those five thousand (5,000) additional units and the Commission say ten percent (10%) of them got to be affordable and the developers says ok that is fine, no one ever looks at them. Katharine stated that if a person built a high rise downtown and gave what they call poor people couple of those units, the first year that they have to pay the taxes and insurance, they would not be able to afford it, no matter what price you give them at. They are doing them no favor to give them a unit in a building that they cannot afford the maintenance, the insurance and the taxes. They are giving them a recipe for failure whereas if they build them a house that they can afford in the long-term, they will be doing them a favor. That is where they go back to a Trust Fund that build real units that people can afford from now to twenty (20) years.

Skeet stated that to be honest in this day and age with the support systems, they are wasting their time, energy and money when people are put in owner-occupied Affordable Housing dwellings. Katharine answered not necessarily but they have to be able to afford it in the long run. Skeet commented that Palm Beach County's much recognized and prized Affordable Housing Ordinance only applies to new developments and it requires construction of brand new homes in big multi-pod planned unit developments out west and put people in brand new homes with Home Owners Associations that have dues a million miles away from their jobs and mass transit. Katharine commented that is another version of a recipe for failure. Skeet continued that AHAC need to do the Ordinance, how it gets funded, they have to talk about monitoring as a part of that and let the Commission sit down and write an Ordinance that they can fight over. Katharine stated so the Commission said fifteen percent (15%) of all sale of commercial. Skeet answered no that is what AHAC said to them. Katharine commented that is so low and that is not enough and they did not put that in there. Skeet stated that this document was supposed to reflect what AHAC wanted in the Policy; this is what AHAC recommendations were. That document got "wordsmith" by the City Manager and the City Attorney and this language here was all taken out so that as a Recommending Board, they recommended fifteen percent (15%) to the City Manager and he said wanted the money for beach re-nourishment to attract tourism. He needs 13 million dollars for his beach re-nourishment program to attract tourist to Fort Lauderdale to stay in hotels

that have maid service, waiters, bartenders and pool cleaning folks, all of whom cannot get Affordable Housing. Jonathan commented that the City Manager did not say that in a discussion with AHAC, he just wants to say. Skeet stated that is what it is all about so the tourist will come down here and make up their own beds; at least it will be beautiful.

Roosevelt stated that they were given items for discussion for today's meeting and AHAC wants monitoring to be a part of it, it is number three (3). They would like to see number four (4) to become number one (1) and asked if there is anything else that AHAC wants to be included in the items for discussion. Jonathan stated that the items have already been posted and does not know if they are able to change unless the Mayor to make a change in terms of the Agenda position. Avis stated that the Mayor will not be there, the Vice-Mayor McKinzie will be there as the email said. Avis continued as Jonathan said it has already been submitted and this is based on what AHAC said they wanted at the last meeting. Roosevelt stated that nothing is wrong with moving items on an Agenda and does not violate the Sunshine Law. Avis stated that she does not have any problem with that but she is letting them know that this is what was submitted. Roosevelt stated that he do not want to be discussing other things if they do not know what number four (4) is.

Skeet asked if he can make a suggestion of what he or Roosevelt can do is as soon as Dr. Murray gets done with his presentation about Affordable Housing and Economic Analysis, even though he thinks their definitions should be before that, he will just make a stack of list and say before they get started they need to be reminded of what Affordable Housing is and pass them around the table. Avis stated that everyone is going to get handouts as a part of the Agenda so they will already have them. Roosevelt stated that he would just like to be able to discuss it so whether the Commission has a problem with the definition, he just want that to be cleared up front. Skeet stated that he understands Roosevelt's position but he thinks that AHAC need to remember that this definition has been adopted by the Commission, this is their adopted definition. Katharine stated that this is also in line with the State and Federal law. Skeet stated that the Commission needs to see it in front of them because they totally forget where they are going every time. Roosevelt stated and that is the purpose of redoing it to bring it fresh in everybody's mind. It has been adopted; they know it is there, they just do not know what it is. Katharine stated that Commissioner McKinzie is very friendly to this. Jonathan stated that is up to the Committee to do it, if staff has to do it then there is a process thru to get it changed. The thing is he does not know how much discussion AHAC wants to have on the definition if there is not discussion on the Ordinance.

Roosevelt commented that AHAC is going to remind them, he does not have a problem with saying after the presentation is finish that they want to make sure that everyone understands what the Affordable Housing definition is and then move on. Jonathan stated that he does not know if Lee or he will open the meeting then he will make mention of that but if Lee is doing it, he cannot tell Lee what to do. Katharine stated to remind them that the Commission adopted it and move on from there. Skeet stated that he thinks it is important that whoever says this is what it is, makes the point that the City

has an adopted Affordable Housing definition and it is in their Agenda package and this is the basis from where they launch everything.

Edwin stated that he realized that the definition for Affordable Housing is an income guideline that is almost eighty percent (80%) of the City, this is their income, and a lot of cities look at Affordable Housing as low income. He asked if there any way AHAC can tie Affordable Housing with Workforce Housing. Katharine answered this is our workforce. Edwin continued but there is no way it is mentioned anywhere, all is mentioned is Affordable Housing and not Workforce Housing. Roosevelt commented that in the past he has gone to the old Board explaining Affordable Housing and the three (3) categories: the very low income, the affordable and the workforce. He stated to remember that affordable and workforce are separate. Katharine disagrees because this is our workforce, the people who work in Broward County, maybe 85% of the people. Roosevelt stated that if you look at the 119,000, that is a lot of money and most of them do not have 17 so the average is now two and half (2 ½) kids. Skeet stated that the real line is the five (5) person line. Roosevelt continued that they have to keep that in mind but when they say affordable, people start looking at income, what is affordable on Las Olas is not affordable on Sistrunk. Skeet stated that is why today AHAC do not need to talk about anything else but this definition because as soon as they started talking about low and extremely low, affordable and workforce, everyone gets confused. Edwin stated that as soon as they mentioned Affordable Housing, they are going to mention Sistrunk and it is not going anywhere so if they talk about workforce, they will cover the whole County and City and not Sistrunk alone. Skeets stated that he agreed with Edwin but the goal for today is to get them to commit to a Trust Fund Ordinance so if they talk about various definitions, they are going to get bogged down and whether it should be Sistrunk, Flagler Village or Southwest off of Davie Boulevard, they will walk out that meeting with absolutely nothing. Everything that Edwin said is valid but today is just a strategic political event today to get the Commission to get them to do the Trust Fund Ordinance. Jonathan stated that Commission already in the Affordable Housing Policy approved doing an Affordable Housing Ordinance so the opportunity for AHAC to state what they need to be in that Ordinance. Katharine stated they said yes to the definition and yes to the Ordinance so AHAC is going with a position of what will be in the Ordinance. Jonathan agreed and added how they will need to fund it.

Avis stated that to wrap up, the items on the Agenda for today, those are the items that AHAC discussed so she thinks that they should stick with it and also mention the Affordable Housing definition but do not want to get stuck on it so the key thing is to let Dr. Murray give his presentation and that can be a background to use once he sums it up but then number two (2) is where their main focus will be because AHAC already got approval for the Affordable Housing Trust Fund and now you want the nuts and bolts to be created now so that is where AHAC wants to do their focus and then tie in number three (3) which is important which is the monitoring of it. The Affordable Housing definition, AHAC has a copy here, the point is do not get stuck on the Affordable Housing definition. Katharine commented that it is not about establishing a Trust Fund; there is a Trust Fund, so it is funding the Trust Fund. Skeet stated that he does not think there is a Trust Fund; the money is just sitting there. Katharine commented that it is unofficial.

Skeet agreed. Jonathan stated that with the recommendations that AHAC had put forward, the only one that did not go in that policy is number three (3) relating to the commercial, everything else is a part of the policy. It is only number three (3) on the handout about the commercial is the only piece out of these seven (7) that is not in the policy.

Edwin asked about the parking that was not mentioned. Avis answered that it is going to be ok, she will get there early to make sure and will stand outside if there is a problem.

Agenda Topic/s for Next Meeting

- Discussion of the AHAC/City Commission Joint Workshop
- The Development of the Ordinance

Good of the Order

None

Next Meeting Date: February 8, 2016

Adjournment

The meeting adjourned at 10:05 AM.

[Minutes prepared by Kerry Arthurs]